

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Attorney Docket No.: JHU1400-1	
		In re Application of: Harry C. Dietz	
		Application No: 09/163,289	Filed: September 29, 1998
		For: DELIVERY CONSTRUCT FOR ANTISENSE NUCLEIC ACIDS AND METHODS OF USE	
		Group Art Unit: 1635	Examiner: J. Schultz

Applicants hereby appeal to the Board of Appeals from the decision dated December 24, 2003 of the Examiner rejecting claims 1-13.

1.	X	Appeal Fee (37 C.F.R. 1.17(b))	
		other than small entity	
	X	small entity	\$165.00

2.	X	A petition and fee for an extension of time for reply to the rejection is attached.						
X	Extension Fee (37 C.F.R. 1.17(a))							
	Other than small entity							
		\$110.00		\$420.00		\$950.00		\$1,480.00
X	Small entity							
		\$55.00		\$210.00	X	\$475.00		\$740.00

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Applicants:

Harry C. Ditez

PATENT

Atty. Docket No.: JHU1400-1

Application No.: 09/163,289

Filed: September 29, 1998

Page 2

3.	X	Enclosed is a check in the amount of \$640.00 (\$165.00; to file the Notice of Appeal and \$475.00 or the Three (3) Month Extension of Time fee). The Commissioner may charge any additional fees associated with the filing submitted herewith, or credit any overpayment, to Deposit Account No. 50-1355.
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June 24, 2004

Date



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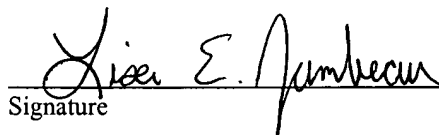
San Diego, California 92121-2133

CERTIFICATION UNDER 37 CFR 1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, **June 24, 2004**, addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Lisa E. Jambeau

(Name of person mailing paper)



Signature

June 24, 2004

Date